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7 Attorney for Defendant

5 **UNITED STATES DISTRICT**
6 **COURT CLARK COUNTY, NEVADA**

7 **UNITED STATES OF AMERICA,**
8 Plaintiff,
9 vs.
10 **DAMIEN PATILLO,**
11 Defendant.

Case No. 2:22-cr-00057-JCM-NJK

12 **STIPULATION AND ORDER FOR A**
13 **PRE-PLEA REPORT FOR DEFENDANT**
14 **DAMIEN PATILLO**

15 IT IS HEREBY STIPULATED BY AND BETWEEN
16 Defendant, DAMIEN PATILLO by and through his counsel, CHRIS T.
17 RASMUSSEN, of the Law Firm RASMUSSEN LAW, P.C., and Plaintiff, United
18 States of America, by and through Jason M. Frierson, United States Attorney and
19 Bianca R Pucci, Assistant United States Attorney, for an Order to the United States
20 Department of Parole & Probation to prepare a pre-plea presentence report on
21 DAMIEN PATILLO.

22 The request is based upon the following:

- 23 1. On March 15, 2022 a federal grand jury issued a Criminal Indictment charging
24 Damien Patillo with one count of Felon in Possession of a Firearm (18
25 U.S.C. §§ 922(g)(1) and 924(a)(2)) and one count of Possession with Intent to
26 Distribute Methamphetamine (21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(viii)).
- 27 2. Currently the trial in this matter is set for September 11, 2023.
- 28 3. Counsel requires a pre-plea presentence report to assist in providing Mr.
 Patillo with effective assistance of counsel.
4. Mr. Patillos' prior criminal history justifies the preparation of a pre-plea PSR.

5. A pre-plea presentence report will promote judicial economy and could enable this case being resolved.

6. Furthermore, Mr. Patillo consents to the pre-plea presentence investigation.

7. Defense Counsel for Mr. Patillo has spoken to his client, who is in custody, and he does not oppose this request.

8. Defense Counsel for Mr. Patillo has spoken to Assistant United States Attorney Bianca R. Pucci, and the Government has no objection to this request.

9. Additionally, the denial of this request could result in a miscarriage of justice.

Therefore, undersign counsel respectfully requests this Court issue an Order directing the United States of Parole & Probation to conduct a pre-plea presentence investigation and prepare a report for Mr. Patillo.

DATED this 5th day of June, 2023.

Respectfully Submitted,

/s/ Chris T. Rasmussen

Chris T. Rasmussen, Esq.

Attorney for Defendant

/s/ *Bianca R. Pucci*

Jason M. Frierson,

United States Attorney

Bianca R. Pucci,

Assistant United States

Attorney

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**UNITED STATES DISTRICT
COURT CLARK COUNTY, NEVADA**

UNITED STATES OF AMERICA,

Case No. 2:22-cr-00057-JCM-NJK

Plaintiff,

VS.

DAMIEN PATILLO

Defendant

ORDER

IT IS HEREBY ORDERED that the United States Department of Parole and Probation will prepare a Pre-Plea Presentence Report on Defendant DAMIEN PATILLO.

DATED June 8, 2023.

Xenia C. Mahan
UNITED STATES DISTRICT JUDGE